Official Minutes for Webb County Commissioners Court Meeting

Wednesday, October 15, 2003 at 1:30 P.M.

(Approved October 27, 2003)

Item No. 1 Call to order by Judge Louis H. Bruni

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:30 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni

Jerry Vasquez

Judith Gutierrez

Felix Velasquez

David Cortez

County Judge

Commissioner, Pct. 1

Commissioner, Pct. 2

Commissioner, Pct. 3

Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 10 of October 2003. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call Margie Ramirez Ibarra, Webb County Clerk
- Item No. 3 Pledge of Allegiance Led by all

Item No. 4 Approval of minutes

Cmr. Vasquez, Cmr. Velasquez, Cmr. Cortez and Judge Bruni had no corrections, additions or deletions. Cmr. Gutierrez stated that on page 6 of the minutes for September 15, 2003 should show that Mr. Garcia requested a clerk for the Bruni Community Center not Mr. Molina.

Cmr. Velasquez motioned to approve the minutes with corrections stated. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Mr. Homero Ramirez, County Attorney, advised the Court that the Communications segment of the meeting was for the court to communicate any information to the public. He stated that the public comments segment was the venue that the public had to address the court. He stated that the court previously stated that comments would be taken only on items placed on the agenda. He stated that this is a matter

of policy and not law and could be changed by reestablishing the policy or adopting a resolution. Cmr. Vasquez stated that he believed that an item he requested be placed on the agenda was left out of the agenda purposefully, as was an item submitted by Cmr. Gutierrez, so that Dr. Hector Farias would not be allowed to address the court on concerns he had regarding the procedure used to sign liquor licenses. He stated that he would be visiting with the Attorney General in regards to the Public Comment section since he felt that there had been a blatant disregard of the constitution. Mr. Homero Ramirez, County Attorney, stated that there was no specific procedure under the Open Meetings Act as to how the agenda is brought together. He stated that he disagreed with the use of Robert's Rules of Order being used to curtail public discussion and that he disagreed with some of the provisions being placed on public speaking. Judge Bruni stated that his office was unable to post the agenda items submitted by Cmr. Vasquez and Cmr. Gutierrez due it was after 5:00 p.m. and the County Clerk's Office was already closed. Cmr. Gutierrez stated that her item was delivered to the County Judge's office at 3:00 p.m. and felt that there was ample time to file an addendum. She stated that her item was a resolution regarding a regional landfill and requested that it be placed on the next agenda. Mr. Homero Ramirez, County Attorney, stated that if the court's inclination was to permit people to speak on items not on the agenda, he would recommend that no discussion or interruptions be made by the Court. Cmr. Velasquez stated that his only problem during public comments would be personal critiques and innuendos made about Court members. Mr. Homero Ramirez, County Attorney, stated that the public can say anything as long as it does not incite a riot. He recommended that the court not carry on a discussion with people addressing the court. Judge Bruni stated that he would not want to make exceptions and that the agenda states that discussion would only be taken on items placed on agenda.

FIVE (5) MINUTE RECESS (2:03 pm to 2:08 pm)

Cmr. Gutierrez presented a group of students who participated in a bicycle safety program during the summer and awarded them a certificate. The students present are as follows:

Adrián García José Antonio Martínez Jorge Salinas Juan Aguijón Humberto Ortiz Javier Fernández Jesús Hernández (not present)

Cmr. Cortez stated that he and Cmr. Vasquez attended a County Judge's and Commissioner's Convention and was advised by Mr. Sams that they would be able to come down to assist the department heads on proper documentation for staff violations as well as assist the county in setting up a Human Resources Department. He stated that it would be contingent on the county judge or commissioner's court requesting the assistance.

Cmr. Velasquez advised the public that the Delinquent Tax Attorney's would be conducting a seminar on new state laws requiring property acquisition of foreclosed property. He also stated that he has met with Mr. Jesus Cantu, Veterans Services Officer, on procedure to assist veterans and that it would be in place by November 1, 2003.

Cmr. Gutierrez also recognized the work done this weekend by Mr. Tomas Rodriguez, County Engineer, Mr. Jose Luis Rodriguez, Road and Bridge Superintendent, Mr. Carlos Villarreal, Executive Administrator, and the Sheriff's Department to coordinate assistance to areas of Webb County that were flooded by the recent rains.

Item No. 5 Approval of bills, payroll and monthly reports

Cmr. Velasquez motioned to accept reports, bills and payroll presented. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 7 Public Comment

Ms. Olga Paez was present to address the court on Item No. 14.

Cmr. Cortez motioned to move up Item No. 14. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 14

Discussion and possible action to enter into a professional services contract with Olga Paez, Director for the Webb County Arrestee Drug Abuse Monitoring (ADAM) Program for increased drug interdiction activities in the County focusing upon Illegal Drug Elimination Awareness Activities (IDEAA), for a period of one (1) year beginning on October 1, 2003 through September 30, 2004 at an annual cost of \$45,000 and authorizing the County Judge to execute all relevant documents. [Account # 001-0109-6022 Professional Services]

Ms. Olga Paez stated that the goal of this program was to track drug use and that this has been ongoing for five years. She stated that the research is done by students at T.A.M.I.U. and helps target areas with drug problems.

Cmr. Cortez motioned to approve item as submitted with the condition that the contract is brought before the court. Cmr. Gutierrez seconded the motion.

Judge Bruni stated that he has been notified by both the County Sheriff and Laredo Police Department of their support for this program. Ms. Paez stated that the program receives \$100,000 annually from the Federal Government but has not collected data for the past five quarters due the program was temporarily tabled. Cmr. Vasquez recommended that the court consider lowering the funding to \$30,000 to lower expenditures. Cmr. Gutierrez stated that the court should not see the program as an expenditure but as an investment.

Motion carried 3-1 with Cmr. Vasquez voting against and Judge Bruni abstaining.

Cmr. Cortez motioned to move up Item No. 26. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 26 Discussion and possible action to enter into a contract with Mercy Ministries of Laredo, Inc., for the use of one county Dodge Van and for fuel and maintenance for the Mobile Medical Clinic for a one year period beginning October 1, 2003 through September 30, 2004 and authorizing the County Judge to sign all relevant documents

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Daniel Guevara, CEO Mercy Ministries of Laredo, stated that the mobile unit has been in existence for 11 years and services 13 sites in Webb County.

Item No. 8 Discussion and possible action to appoint Dr. Dennis Cantu to the Webb County Grievance Committee, and to serve as Chairman thereof.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 9 Discussion and possible action to appoint Commissioner Felix Velasquez to the Webb County Bail Bond Board.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 10 Discussion and possible action to award/reject Bid #2003-43 "El Cenizo Community Center" to CG Construction, Inc. in the amount of \$356,012.

Cmr. Vasquez stated that the correct amount would be \$293,310.

Cmr. Vasquez motioned to approve item with correction stated above. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, stated that three different funds would be used to total \$356,012.

Cmr. Vasquez motioned to rescind previous approval. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Mr. Leo Flores, County Auditor, stated that the funding of \$356,012 would come from the following funds:

Fund 693	\$293,310
Fund 690	50,000
Fund 678	12,702

Motion carried 5-0 by unanimous consent.

Item No. 11 Discussion and possible action to authorize the Purchasing Agent to solicit bids for the Asphalt Service Rehabilitation and repaving of 3.8 miles of Espejo Molina Road from Hwy. 83 South to the Southeast corner of El Cenizo. [Certificates of Obligation Series 2003]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 12 Discussion and possible action to approve up to 1,500 cellular telephone minutes for the following:
 - 1. Chief of Staff
 - 2. Commissioners Court Executive Administrator
 - 3. County Engineer
 - 4. Road and Bridge Superintendent

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Cmr. Gutierrez stated that she received a copy of the current cell phone plan and feels that some cell phone minutes could be cut to save money.

Motion carried 5-0 by unanimous consent.

Item No. 13 Discussion and possible action to appoint Mr. Oscar Villarreal to serve as interim administrator to the elections office.

Mr. Homero Ramirez, County Attorney, advised Court that as per the Elections Code, the Elections Commission, which consists of the County Judge, County Clerk, Tax Assessor Collector and 2 party chairs, appoints the Elections Administrator and fills the vacancy. He stated that Judge Bruni has advised him that he would call a meeting of the Elections Commission to decide what action to take and stated that if the commission decided to do away with the position of Elections Administrator, the duties would be split between the County Clerk and Tax Assessor Collector. Cmr. Velasquez stated that he supported the Elections office and requested that the commission consider Mr. Oscar Villarreal for the position. Cmr. Cortez stated that he did not want Mr. Villarreal as the sole candidate for this position and felt that he was too political for the position.

Cmr. Velasquez motioned to table the item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 15 Discussion and possible action to fill slot #2011 (Social Services Director), at \$40,000.00 per year, effective October 15, 2003. [Account # 920-4200-5001 Payroll Community Services Block Grant]
- Item No. 16 Discussion and possible action to approve Budget and General Order for the Emergency Food and Shelter Program (EFSP), for FY 2004.
- Item No. 17 Discussion and possible action to approve amended budget for the Comprehensive Energy Assistance Program (CEAP) for FY 2003.
- Item No. 18 Discussion and possible action to approve amended budget for the Community Services Block Grant (CSBG), FY 2003.

Cmr. Gutierrez motioned to approve Item No. 15, No. 16, No. 17 and No. 18. Cmr. Velasquez seconded the motion.

Ms. Cynthia Mares, Community Action Agency, stated that the director would be responsible to oversee the ten community centers and stated that there has been no director since 1999. Cmr. Cortez inquired as to whether the \$40,000 could be split and hire two persons at \$20,000 so that they would each oversee five centers. Ms. Mares stated that a department head is needed for this department.

Motion carried 3-1 with Cmr. Cortez voting against and Judge Bruni abstaining.

Item No. 19 Discussion and possible action to enter into an architectural services contract with Architectura, S.A., Inc., for the design and contract administration of the enclosure of the front porch of existing Community Center in Rio Bravo and new Community Center Park in the amount of THIRTY-THOUSAND DOLLARS (\$30,000.00) and

authorizing the County Judge to sign all relevant documents. [Account #693-6109-6022 Professional Services]

- Discussion and possible action to execute Amendment Number Two (2) to original contract No. 11K1965 effective October 1, 2002, between the Texas Department of Human Services and Webb County extending the number of eligible meal units from 58,764 to 60,409 and providing for additional funds totaling \$7,501.04 thus increasing the contract amount from \$267,964.00 to \$275,465.04 in funds to provide Home-Delivered Meals Services through the Webb County Community Action Agency Meals on Wheels Program and Authorizing the County Judge to execute all relevant documents. [Requested by Community Action Agency]
- Discussion and possible action to approve Lease Addendum number 7130469-001 to Master Lease Purchase Agreement and Schedule with General Electric Capital Corporation to finance acquisition of additional equipment, licenses, materials and warranties for extending Mitel Phone services to the new Justice of the Peace Courthouse that will house Justices Benavides and Rangel for a monthly lease payment of \$432.23 for 110 months, and authorizing the County Judge to execute all relevant documents. [Account #001-0109-6004 Telephone Requested by County Purchasing]
- Item No. 22 Discussion and possible action to enter into a three (3) year (October 1, 2003 to September 30, 2006) auditing contract with Mejia & Company, P.L.L.C. to perform annual independent audits of Webb County at an annual cost not to exceed SIXTY-FIVE THOUSAND DOLLARS (\$65,000) and authorizing the County Judge to execute all relevant documents. [Account #001-0109-6021 Auditing and Accounting]
- Discussion and possible action to enter into a Medical and Dental Health Services Agreement with Gateway Community Health Center for Children enrolled in the Webb County Head Start Program for a period of one year (October 1, 2003—September 30, 2004) at reduced fees as set forth in the agreements, authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents. [Requested by Head Start]

Mr. Homero Ramirez, County Attorney, stated that the correct account number for Item No. 19 is 678-8103-8710.

Cmr. Velasquez motioned to approve Item No. 19, No. 20, No. 21, No. 22 and No. 23. Cmr. Gutierrez seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that the total funding for Item No. 22 would come from three funds; General Fund (\$40,000), Adult Probation (\$15,000) and Juvenile Probation (\$10,000). Mr. Leo Flores, County Auditor, stated that the end year should be 2005, not 2006. Judge Bruni stated that he received a letter from Martinez and Company withdrawing their proposal for personal reasons.

Cmr. Cortez inquired as to whether it would be a conflict of interest for him to vote on Item No. 23 due his wife was employed at Gateway Health Center. Mr. Homero Ramirez, County Attorney, advised him to abstain from voting.

Motion carried 3-0 with Judge Bruni and Cmr. Cortez abstaining.

- Item No. 24 Discussion and possible action to enter into a professional services agreement with Dr. Hector Lopez, D.D.S., for dental services for inmates at the Webb County Law Enforcement Center and ordering an exemption from section 262.023, Local Govt. Code and authorizing the County Judge to sign all relevant documents.[Account #001-2062-6022 Professional Services]
- Item No. 25 Discussion and possible action to enter into a professional services agreement with Laredo Health Care Associates, Inc., for tuberculosis testing at the Webb County Law Enforcement Center and ordering an exemption from section 262.023, Local Govt. Code and authorizing the County Judge to sign all relevant documents. . [Account #001-2062-6022 Professional Services]
- Item No. 27 Discussion and possible action to enter into a construction contract with Zertuche Construction L.L.C. for the construction of the Library Addition to the Larga Vista Community Center in the amount of ONE HUNDRED FORTY-ONE THOUSAND EIGHT HUNDRED SIXTY-THREE DOLLARS (\$141,863.00) and authorizing the County Judge to sign all relevant documents.[Fund 655 Library Construction Fund]
- Item No. 28 Discussion and possible action to ratify Funding Agreement for Border Colonia Access Program between Webb County and the State of Texas, acting by and through the Texas Department of Transportation, for construction of colonia access roads in the following areas: Los Corralitos, Mirando and Mirando Addition, and Bruni and authorizing

the County Judge to execute all relevant documents. [County Engineer]

Item No. 29 Discussion and possible action to enter into an annual Software Support Agreement (renewal) with Real Vision Software, Inc. for a cost of THREE THOUSAND DOLLARS (\$3,000.00) effective October 1, 2003 for Real Vision COMPLETE Software Imaging System at the County Clerk's Office. [Account #001-0500-6402 Repair & Maintenance Equipment Requested by Management Information Systems (MIS) Department]

Cmr. Gutierrez motioned to approve Item No. 24, No. 25, No. 27, No. 28 and No. 29. Cmr. Cortez seconded the motion.

Mr. Homero Ramirez, County Attorney, stated on Item No. 25 that the contract would be with Dr. Luis Mendoza.

Mr. Homero Ramirez, County Attorney, stated on Item No. 27 that this would also be funded from Fund 679 (\$122,330) and Fund 678 (\$6,863).

Cmr. Gutierrez motioned to amend motion to reflect above change. Cmr. Cortez amended second.

Motion carried 4-0 with Judge Bruni abstaining.

Discussion and possible action to enter into a one (1) year (October 1, 2003 through September 30, 2004) lease agreement, for adult GED and ESL classroom space, with First Christian Church located at 2409 Guerrero Street, Laredo, Webb County, Texas at a monthly cost of ONE HUNDRED DOLLARS (\$100.00) for a total cost of TWELVE HUNDRED DOLLARS (\$1200.00) over the lease term and authorizing the County Judge to execute all relevant documents. [Requested by Head Start]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31 Discussion and possible action to enter into a media and public affairs consulting agreement with either Allyn & Company or Allison Griffin at an hourly rate of \$250.00 an hour and authorizing the Webb County Judge to execute all relevant documents.[Account #625-8104-6022 Professional Services International Bridge #5]

Mr. Raul Casso, County Judge's Chief of Staff, stated that Ms. Allison Griffin was now working free lance and feels that her input is valuable but cost seems too high. He stated that she has been involved from the beginning and is familiar with the project.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Cortez voting against.

Item No. 32 Discussion and possible action to confirm previous action taken by Commissioners Court to transfer up to \$200,000 from year ending general fund balance to cover expenses incurred in department #1050 Judicial General Operations and to confirm and/or take action to approve the transfer of up to \$600,000 to cover expenses incurred by department #4100 Indigent Health Care from year ending general fund balance.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Mr. Leo Flores, County Auditor, stated that an audit is currently underway at the Indigent Health Care Program and stated that his office has received approximately \$436,000 in unpaid bills from the Indigent Health Care (IHC) Program. He stated that those bills are dated March, April and May of this year. Cmr. Velasquez stated that he has met with the IHC billing clerk and was told that they have a lot of work and claims are placed in stacks until they can work on them. He stated that something needs to be done in that office. Cmr. Cortez requested a quarterly report of expenditures from Deputy Director Frank Salinas.

- Discussion and possible action authorizing the issuance of "Webb County, Texas Waterworks and Sewer System Revenue Bonds, Series 2003A" and making provisions for the security thereof: Approving the application of the Texas Water Development Board, the Escrow Agreement, and the paying Agent/Registrar Agreement: and approving other matters relating thereto in the amount of \$588,000.00.
- Item No. 34 Discussion and possible action authorizing the issuance of "Webb County, Texas Waterworks and Sewer System Revenue Bonds, Series 2003A" and making provisions for the security thereof: Approving the application to the Texas Water Development Board, the Escrow Agreement, and the paying Agent/Registrar Agreement: and approving other matters relating thereto in the amount of \$1,102,000.00.

Cmr. Gutierrez motioned to approve Item No. 33 and No. 34 as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni stated for the record that he would be stating the time and date as well as the item being discussed during the course of the meeting so that the public viewing the meeting through Public Access would know what was being discussed. He stated that they are under court or state mandate that by 2004, the system needed to be changed to be all digital in order to be in compliance and the public would be able to see the agenda items, time and date scroll on the screen.

- Item No. 35 Discussion and possible action to approve Budget Modification to the Texas Community Development Program Contract #721859 (Penitas West Park Project) for the amount of Three Thousand Six Hundred Fifty Dollars (\$3,650) at no cost to the County for the installation of 615' one single phase overhead primary on 40' poles to serve the park to be covered with grant funds. [Account #653-8001-8710- Parks & Recreational Facilities]
- Item No. 36 Discussion and possible action to purchase (1) Copier Machine with one year maintenance and (1) Laptop with accessories for the new Bruni Community Center Building. [Account #696-6108-8801 Capital Outlay Certificates of Obligation Series 2002]
- Item No. 37 Discussion and possible action to approve the acceptance of the Bruni Community Center as recommended by the project architect, Mr. Delfino Garza, Design Group International and that all final bills and retainage be approved.
- Item No. 38 Discussion and possible action to approve a Resolution authorizing the following County Officials: Honorable Louis H. Bruni, Honorable Judith G. Gutierrez, and Honorable Gerardo "Jerry" Vasquez to be designated as authorized signatories for the Texas Department of Housing and Community Affairs Contract for Deed Conversion Contract #542006 and Texas Community Development Program TCDP Contracts #722661 and #719681.
- Discussion and possible action to transfer Unit #0404 (1998 Ford Supreme Bus VIN 31FDLE40S6VHA34164), to the Self-Help Center Transportation Program. Bus is currently under Auxiliary Vehicles, Dept. 0109 and not in use by a County Department.

Item No. 40 Discussion and possible action to fill grant position – Vista Program Supervisor/Coordinator at a salary of no more than Thirty-Five Thousand Dollars (\$35,000) based on experience at no cost to the General Fund. (Funding by the Vista Program)

Cmr. Gutierrez motioned to approve Item No. 35, No. 36, No. 37, No. 38, No. 39 and No. 40 as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41 Discussion and possible action on the approval of a vehicle transfer from Constable Pct. 1 to the Public Defender's Office (1991 Chevy Caprice Classic VIN# 1G1BL5370MRJ32370).
- Item No. 42 Discussion and possible action to fill slot #1725 (Assistant Public Defender) at \$48,748.00 per year, effective October 15, 2003.

Cmr. Gutierrez motioned to approve Item No. 41 and No. 42 as submitted. Cmr. Velasquez seconded the motion.

- Item No. 43 Discussion and possible action on the approval to authorize the Purchasing Agent to purchase inventory software from Transition Products Inc., in the amount of \$11,000.00.[Account #696-8007-8801 Capital Outlay Certificates of Obligation Series 2002]
- Item No. 44 Discussion and possible action to authorize the Purchasing Agent to purchase three (3) radar units to include installation from Corpus Christi Harley-Davidson, Inc. in the amount of \$7,583.40 for the Law Enforcement Center. [Account #168-2001-8801 Capital Outlay Sheriff State Forfeiture]
- Item No. 45 Discussion and possible action to award/reject Bid #2003-41 Park Improvements for Oilton and Mirando.
- Item No. 46 Discussion and possible action to authorize the Purchasing Agent to purchase one (1) Video and Surveillance system complete with connection cable and installation of equipment for the Juvenile Justice Alternative Educational Program from Security Surveillance Systems of Laredo in the amount of \$11,300.00.[Account #149-1301-6224 Minor Apparatus and Tools]

- Item No. 47 Discussion and possible action to authorize the Purchasing Agent to purchase one (1) Flhtpi Electra glide Police Model from Corpus Christi Harley-Davidson, Inc. in the amount of \$14,000.00 and one (1) Police Radar unit in the amount of \$2,527.80 for the Law Enforcement Center. [Account #168-2001-8801 Capital Outlay Sheriff State Forfeiture]
- Item No. 48 Discussion and possible action to authorize the Purchasing Agent to solicit request for proposals for restoration and preservation of County Records for the County Clerks Department.

Cmr. Gutierrez motioned to approve Item No. 43, No. 44, No. 46, No. 47 and No. 48 and award bid for Item No. 45. Cmr. Velasquez seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that for Item No. 45 they recommended Zertuche Construction in the amount of \$495,540.

Mr. Leo Flores, County Auditor, stated that after No. 43 is approved, the balance on that fund would be \$30,000.

Cmr. Cortez inquired if there was a local agency to handle the purchases made from Harley-Davidson Corpus Christi. Mr. Eloy Ramirez, Purchasing Agent, stated that the local agency and the home office in Corpus are owned by the same person (Mr. Preston) and that though the purchases are made through the home office, service is provided from the local office.

- Item No. 49 Discussion and possible action to ratify the Pollution Liability Insurance renewal and decline TRIA Terrorism coverage from McGriff, Seibels & Williams of Texas, Inc., through Gulf Insurance Co. to be effective October 1, 2003, and authorize the County Judge to execute all relevant documents. [Account #001-0105-6032 (Prop/Cas/Liab Premium)
- Item No. 50 Discussion and possible action to renewal of the Property/Casualty/Liability Insurance Package from McGriff, Seibles & Williams of Texas, Inc. through St. Paul Insurance to be effective October 1, 2003, and authorize the County Judge to execute all relevant documents. [Account #001-0105-6032 (Prop/Cas/Liab Premium)

- Item No. 51 Discussion and possible action to approve the payment of over-time hours accrued by various County employees due to the June 2, 2003, as approved by the St. Paul Insurance Adjuster.[Account # 001-0105-6032-04 (Storm Damage Claim)]
- Item No. 52 Discussion and possible action regarding the Self Help Center claim for property damage caused by unknown individuals on or about August 27, 2003. [Account #001-0105-6201 (Claims Paid)]
- Item No. 53 Discussion and possible action to set a limit of authority for the Interim Risk Manager.

Cmr. Gutierrez motioned to approve Item No. 49, No. 50, No. 51, No. 52 and No. 53 with discussion. Cmr. Cortez seconded the motion.

Ms. Amy Palacios, Interim Risk Manager, stated that there would be an increase of 25% for Item No. 50 and that there were not enough monies budgeted in that line item. She stated that they have spoken with the insurance broker and they have agreed to accept a larger portion to be paid at the beginning of the year with the remainder being paid from grant refunds. Mr. Joe Blassi, insurance representative, stated that the increase would amount to \$170,000 due to the property damage payments of \$5 million that have been made in the previous three years. He stated that he had advised the prior Risk Manager that the insurance premiums would be higher. Ms. Amy Palacios, Interim Risk Manager, stated that the line item is only short \$20,000 for property/casualty/liability insurance premiums. Cmr. Velasquez stated that local policy is to not amend budget for six months but feels that this extenuating circumstance would qualify for modification. He stated that when the audit is completed, there would be enough in year end savings to cover the premium increase.

Ms. Palacios stated that on Item No. 53, she was requesting continued authorization to settle third party and property claims up to \$5,000, as done by the previous Risk Manager. She stated that no settlement would be approved without the approval of the County Attorney. Mr. Homero Ramirez, County Attorney, requested that the court table the item until he could review it further.

Cmr. Gutierrez withdrew Item No. 53 from her motion.

Ms. Palacios also requested direction as to whether to accept or reject terrorism insurance. She stated that the County has always rejected terrorism insurance.

Cmr. Gutierrez motioned to reject terrorism insurance on Item No. 49. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent for Item No. 50, No. 51 and No. 52.

Cmr. Gutierrez motioned to table Item No. 53. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (3:50 pm to 4:22 pm)

Judge Bruni reconvened meeting and stated that no action was taken during Executive Session.

Item No. 54

Discussion and possible action regarding Webb County's current lease with John Deere Credit Services Inc. for maintenance equipment located at the Casa Blanca Golf Course and any matters incident thereto. [Executive Session requested pursuant to Texas Government Code Title 5, Subchapter D, Sec. 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, requested authority to send notification of termination of lease due to privatization.

Cmr. Velasquez motioned to authorize above notification. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 55

Discussion and possible action regarding an interlocal or other agreement in connection with a request from the City of El Cenizo to use County owned parking area for activities related to "October Fest" on October 25, 2003, and authorization of County Judge to execute all documents relevant thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Mr. Homero Ramirez, County Attorney, recommended approval of request with the condition that the City of El Cenizo provide liability insurance for the use of the property during the activities.

Cmr. Gutierrez motioned to accept Mr. Ramirez's recommendation. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 56

Discussion and possible action to engage the services of the County's Independent Auditors to audit quarterly payroll reports submitted to the IRS for the last four (4) years and to represent the county in situations where penalties have been assessed for allegedly filing untimely and incorrect reports, including 4th Quarter 2000 and 1st Quarter 2003, which penalties are disputed by the County Treasurer.

The engagement should include auditor comments related to the adequacy of the present payroll system and recommendations for improvement, and also relate specifically to the 941 reports for the quarters identified above. [Executive Session requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071, Consultation with Attorney)

Mr. Homero Ramirez, County Attorney, recommended that the court approve the engagement as presented.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Cmr. Velasquez requested that a report be submitted once controls are in place to prevent any misgivings in the future and that additional funding could be from the Treasurer's Department. Ms. Delia Perales, County Treasurer, stated that she would have no objections.

Motion carried 5-0 by unanimous consent.

Item No. 57

Discussion and possible action to accept a Full & Final settlement from Andres Dimas and Progressive County Mutual Insurance for property damage to a pump house located at the Webb County Golf Course which resulted from a motor vehicle accident on or about July 18, 2003. [Executive session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Teas Government Code-Consultation with Attorney]

Mr. Homero Ramirez, County Attorney, stated that a check in the amount of \$5,525 has been received and recommended that the court accept the settlement.

Cmr. Gutierrez motioned to accept the settlement. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez requested that guidelines be put in place regarding the deadline to submit agenda items. Mr. Raul Casso, County Judge's Chief of Staff, stated that deadlines are in place and under revision. He stated that they would be presented to the court and county departments upon completion.

Item No. 58 Adjournment

Cmr. Gutierrez motioned to adjourn. Cmr. Vasquez seconded the motion.